

SENATE BILL NO. 127

BY SENATORS BOASSO, AMEDEE, BARHAM, BROOME, CAIN, CASSIDY, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JACKSON, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SMITH AND THEUNISSEN AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, DAMICO, DANIEL, DEWITT, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, MICKEY GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LORUSSO, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WILLIAMS AND WOOTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) of the Constitution of Louisiana, relative to retirement and survivor's benefits; to limit creation of additional unfunded accrued liabilities for state retirement systems unless certain conditions are met; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Notice of intention to introduce this Act has been published.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article X, Section 29(E)(5) of the Constitution of Louisiana, to read as follows:

1 §29. Retirement and Survivor's Benefits

2 Section 29. (A) * * *

3 (E) Actuarial Soundness. (1)

4 * * *

5 (5)(a) All assets, proceeds, or income of the state and statewide public
6 retirement systems, and all contributions and payments made to the system to
7 provide for retirement and related benefits shall be held, invested as authorized by
8 law, or disbursed as in trust for the exclusive purpose of providing such benefits,
9 refunds, and administrative expenses under the management of the boards of trustees
10 and shall not be encumbered for or diverted to any other purpose. The accrued
11 benefits of members of any state or statewide public retirement system shall not be
12 diminished or impaired.

13 (b) Future benefit provisions for members of the state and statewide public
14 retirement systems shall ~~only~~ be altered only by legislative enactment; however, no
15 such benefit provision for any member of a state retirement system having an
16 actuarial cost shall be approved by the legislature unless a funding source
17 providing new or additional funds sufficient to pay all such actuarial cost within
18 ten years of the effective date of the benefit provision is identified in such
19 enactment. This Subsubparagraph shall be implemented as provided by law.

20 * * *

21 Section 2. Be it further resolved that this proposed amendment shall be submitted
22 to the electors of the state of Louisiana at the statewide election to be held on October 20,
23 2007.

24 Section 3. Be it further resolved that on the official ballot to be used at said election
25 there shall be printed a proposition, upon which the electors of the state shall be permitted
26 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
27 read as follows:

28 To provide that no benefit provision for members of any state retirement
29 system having an actuarial cost shall be approved by the legislature unless a
30 funding source providing new or additional funds sufficient to pay all such

1 actuarial cost within ten years of the effective date of the benefit provision
2 is identified in such enactment. (Amends Article X, Section 29(E)(5))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES